

SENATE BILL 648

C3

EMERGENCY BILL

6lr1067
CF 6lr3561

By: **Senator Mathias**

Introduced and read first time: February 5, 2016

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Coverage for Digital Tomosynthesis**

3 FOR the purpose of establishing that a certain coverage requirement applicable to certain
4 insurers, nonprofit health service plans, and health maintenance organizations
5 includes coverage for digital tomosynthesis under certain circumstances; prohibiting
6 certain insurers, nonprofit health service plans, and health maintenance
7 organizations from imposing a copayment or coinsurance requirement for digital
8 tomosynthesis that is greater than a copayment or coinsurance requirement for other
9 breast cancer screenings for which coverage is required under certain provisions of
10 law; defining a certain term; providing for the application of this Act; making this
11 Act an emergency measure; and generally relating to health insurance coverage for
12 tomosynthesis.

13 BY repealing and reenacting, with amendments,
14 Article – Insurance
15 Section 15–814
16 Annotated Code of Maryland
17 (2011 Replacement Volume and 2015 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

20 **Article – Insurance**

21 15–814.

22 **(A) IN THIS SECTION, “DIGITAL TOMOSYNTHESIS” MEANS A RADIOLOGIC**
23 **PROCEDURE THAT INVOLVES THE ACQUISITION OF PROJECTION IMAGES OVER THE**
24 **STATIONARY BREAST TO PRODUCE CROSS-SECTIONAL DIGITAL**
25 **THREE-DIMENSIONAL IMAGES OF THE BREAST.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **[(a)] (B)** This section applies to:

2 (1) insurers and nonprofit health service plans that provide hospital,
3 medical, or surgical benefits to individuals or groups on an expense-incurred basis under
4 health insurance policies or contracts that are issued or delivered in the State; and

5 (2) health maintenance organizations that provide hospital, medical, or
6 surgical benefits to individuals or groups under contracts that are issued or delivered in
7 the State.

8 **[(b)] (C)** **(1)** **[An] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN**
9 entity subject to this section shall provide coverage for breast cancer screening in
10 accordance with the latest screening guidelines issued by the American Cancer Society.

11 **(2)** **THE COVERAGE REQUIRED UNDER THIS SECTION SHALL INCLUDE**
12 **COVERAGE FOR DIGITAL TOMOSYNTHESIS THAT, UNDER ACCEPTED STANDARDS IN**
13 **THE PRACTICE OF MEDICINE, THE TREATING PHYSICIAN DETERMINES IS**
14 **MEDICALLY APPROPRIATE AND NECESSARY FOR AN ENROLLEE OR INSURED.**

15 **[(c)] (D)** An entity subject to this section is not required to cover breast cancer
16 screenings used to identify breast cancer in asymptomatic women that are provided by a
17 facility that is not accredited by the American College of Radiology or certified or licensed
18 under a program established by the State.

19 **[(d)] (E)** (1) An entity subject to this section may not impose a deductible on
20 the coverage required under this section.

21 (2) Each health insurance policy and certificate issued by an entity subject
22 to this section shall contain a notice of the prohibition established by paragraph (1) of this
23 subsection in a form approved by the Commissioner.

24 **(3)** **AN ENTITY SUBJECT TO THIS SECTION MAY NOT IMPOSE A**
25 **COPAYMENT OR COINSURANCE REQUIREMENT FOR DIGITAL TOMOSYNTHESIS THAT**
26 **IS GREATER THAN A COPAYMENT OR COINSURANCE REQUIREMENT FOR OTHER**
27 **BREAST CANCER SCREENINGS FOR WHICH COVERAGE IS REQUIRED UNDER THIS**
28 **SECTION.**

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
30 policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or
31 after January 1, 2017.

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency
33 measure, is necessary for the immediate preservation of the public health or safety, has
34 been passed by a yea and nay vote supported by three-fifths of all the members elected to

1 each of the two Houses of the General Assembly, and shall take effect from the date it is
2 enacted.